PATENT
Avery Ref: 3385-US
Old Atty Docket No.: 11286-01155
New Atty Docket No.: 67134-5071

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	
Kazuyuki Yokokawa	Group Art Unit: 1772
Serial No. 09/801,187	Examiner: Nasser Ahmad
Filed: March 8, 2001	Confirmation No. 4101
For: **IMAGE DIVIDING FILM FOR PHOTO OR THE LIKE**	

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF RONALD UGOLICK, Ph.D.

Sir:

I, Ronald Ugolick, hereby declare that:

1. My business address is: c/o Avery Dennison Corporation, Office Products, North America, 50 Pointe Drive, Brea, CA 92821.

2. My work experience includes:

Avery Dennison Office Products Division, 1/00 to present – Product Development/Intellectual Property Manager/Patent Agent responsible for new product development for Small Business Communications and E-Media groups which include business cards and CD/DVD labels. Currently responsible for intellectual property portfolio management for Avery Dennison Office Products worldwide.

Avery Research Center, 3/86 to 12/99 – Senior Research Chemist/Research Associate. Responsibilities included synthesis and compounding of acrylic-based and rubber-based adhesives for industrial fabrication applications. Investigated feasibility of coextrusion of films and adhesives for premium packaging applications. Functioned as exchange

scientist/liaison between Avery Research Center and Shell Chemical Company working on adhesive release systems.

Uniroyal, Inc., 7/85 to 3/86 – Research Chemist. Work focused on modifying liquid ethylene, propylene copolymers and catalytic cure systems for use as telephone splice encapsulants.

3. My undergraduate and graduate college education includes:

Claremont Graduate University	9/99 – 12/01	MS Finan. Engin. 12/01
Claremont Graduate University	9/98 – 9/00	Executive MBA 9/00
University of Southern California	9/81 – 7/85	PhD (Chemistry) 6/86
University of California, Berkeley	9/79 – 9/81	MS (Chemistry) 12/81
University of California, Los Angeles	9/75 – 6/79	BS (Chemistry) 6/79

4. I am a coinventor of eight U.S. patents (as well as numerous U.S. pending applications and foreign patents and applications). These patents and applications relate primarily to adhesives and office products. Examples include the following: US 6,789,725 ("Printable Envelope With L-Shaped Addition"), US 2006-0110565 ("Send-Reply Label"), US 2005-0244603 ("Printing Stock for Use in Printing Composite Signs, Methods and Apparatus for Printing Such Signs, and Methods for Manufacturing Such Printing Stock"), US 2006-0057325 ("Printing Stock with a Label for Making a Security Badge"), US 2003-0148056 ("Card Sheet Construction") and WO 00/13888 ("Coextruded Adhesive Constructions").

5. I am a co-author of:

"Reactions of Organocyclopropanes and Spirocycles with Metal Atoms," J. A. Gladysz, J. G. Fulcher, R. C. Ugolick, A. J. Lee Hanlan, and A. B. Bocarsly, J. Am. Chem. Soc., 1979, 101, 3388.

"Chemistry via Metal Atom Cocondensation: Isomerization and Complexation Reactions of Organocyclopropanes and Spirocycles," A. J. Lee Hanlan, R. C. Ugolick, J. G. Fulcher, S. Togashi, A. B. Bocarsly, and J. A. Gladysz, Inorg. Chem., 1980, 19, 1543.

6. I have studied the above-captioned U.S. patent application, Serial No. 09/801,187 ('187), the Office Action ("Office Action") issuing therein on October 12, 2006, the claims in the Amendment to be filed with this Declaration and U.S. Patent 6,380,132 (Mihara *et al*).

7. The following phrase in claim 181 of the '187 application, "the multi-layered sheet and the first [or second, or third, or fourth] cut line being constructed and adapted to cause the sheet structure or a portion thereof to split on at least a portion of the first [or second, or third, or fourth] cut line when the sheet structure or a portion thereof is bent on the first [or second, or third, or fourth] cut line . . ." is a structural limitation as it depends on many if not all of at least the following structural features, as would be apparent to those skilled in the art: (a) the depth of the cut line; (b) the width of the cut line; (c) the material of the breakable layer; (d) the properties of the top (paper) sheet; (e) the thickness of the breakable layer; (f) if any adhesive is used, the properties of the adhesive; and (g) the depth of penetration, if any, of the die cut into the breakable layer.

8. The following phrase in claim 200, "at least one of the first and second layers being selected and constructed, and the cut lines being configured, such that the sheet can be bent upwardly only once, or downwardly only once, along at least some of the plurality of cut lines, to thereby be split along the at least some of the plurality of cut lines to separate the sheet portions from the sheet into a plurality of individual sheet portions" is a structural limitation as it depends on many if not all of at least the following structural features, as would be apparent to those skilled in the art: (a) depth of the cut line; (b) width of the cut line; (c) material of the breakable layer; (d) the properties of the top (paper) sheet; (e) the thickness of the breakable layer; (f) if any adhesive is used, the properties of the adhesive; and (g) the depth of penetration, if any, of the die cut into the breakable layer.

9. The following phrase in claim 223, "the multi-layered sheet and the first cut line being structurally capable of causing the sheet structure or a portion thereof to split on at least a portion of the first [or second, or third, or fourth] cut line when the sheet structure or a portion thereof is bent on the first [or second, or third, or fourth] cut line upwardly only once or downwardly only once" is a structural limitation as it depends on many if not all of at least the following structural features, as would be apparent to those skilled in the art: (a) the depth of the cut line; (b) the width of the cut line; (c) the material of the breakable layer; (d) the properties of the top (paper) sheet; (e) the

thickness of breakable layer; (f) if any adhesive is used, the properties of the adhesive; and (g) the depth of penetration, if any, of the die cut into the breakable layer.

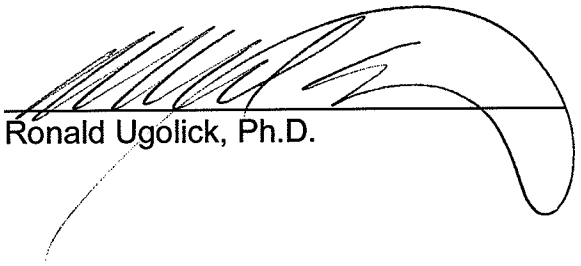
10. The following phrase in claim 242, "at least one of the first and second layers and the cut lines being structurally capable of causing the sheet when bent upwardly only once, or downwardly only once, along at least some of the plurality of cut lines, to thereby be split along the at least some of the plurality of cut lines to separate the sheet portions from the sheet into a plurality of individual sheet portions" is a structural limitation as it depends on many if not all of at least the following structural features, as would be apparent to those skilled in the art: (a) the depth of the cut line; (b) the width of the cut line; (c) the material of the breakable layer; (d) the properties of the top (paper) sheet; (e) the thickness of the breakable layer; (f) if any adhesive is used, the properties of the adhesive; and (g) the depth of penetration, if any, of the die cut into the breakable layer.

11. Mihara *et al.* does not describe a construction which splits, divides or separates into attached first and second layer portions when folded, and specifically when folded or bent upwardly only once or downwardly only once. Cut 2 of Mihara is provided to separate the adhesive label 9 from the release sheet 5. (See Abstract; col. 3, lines 18-21; col. 3, lines 49-54; and col. 5, lines 50-55.) In fact, Mihara *et al.* does not want the release sheet 5 to break or split at the cuts 2 as this would make it more difficult to initiate removal of the labels from the release sheet by separating an easily graspable portion of the label from the release sheet. That is, users want to be able to easily grasp and peel off a unitary predefined sheet adhesive sheet portion or label without fracturing the release sheet in a Mihara *et al.* type of construction. If a portion of the release sheet were to crack and break off and remain adhered to the label, it would defeat the purpose of the Mihara cuts 2, which is to facilitate removal of the labels from the release sheet.

12. An example of an "internal release surface" as set forth in claims 265-268 is shown in Mihara *et al.* at the interface between release sheet 5 and adhesive 6 (see col. 6, lines 1, 2 and 11-16). The '187 application does not disclose an internal release surface.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: February 15, 2007



Ronald Ugolick, Ph.D.